

*MERGED REISSUE*  
**Ex Parte Reexamination Interview Summary**

Control No.  
*09/733392*  
90/005,710

Patent Under Reexamination

5846435

Examiner

Chester T. Barry

Art Unit

1724

*#33*

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) Chester T. Barry

(3) Mr. Robinson

(2) Mr. Haase

(4) \_\_\_\_\_

Date of Interview: 08 August 2003

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal (copy given to: 1) ☐ patent owner 2) ☒ patent owner's representative)

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: None in particular.

Identification of prior art discussed: None.

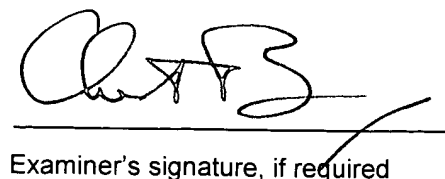
Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Exr stated an RCE could be filed. If one were filed, the proceeding would remain a merged proceeding. Time extensions are available under 37 CFR 1.136(a), not 37 CFR 1.550(c). Exr stated Owner could file new evidence or declarations, but could not say at this point whether such submissions would be entered after final rejection.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

cc: Requester (if third party requester)

  
Examiner's signature, if required